


REMARKS

Reconsideration of this application is requested in view of the proposed amendments to the claims and the remarks presented herein. Entry of the amendment is requested under the provisions of Rule 116 as it puts the application in condition for allowance or in better condition for appeal.

The Examiner indicated in the advisory action that claims 3, 4 and 9 to 13 were substantially allowable with the exception of the fact that the compound claims enlarged the scope of R_{2a} and R_{2b} and $R_{2a'}$ and $R_{2b'}$ were broader than those originally presented. The present amendment limits these substituents to hydrogen or methyl which were originally examined. It is believed in accordance with the rest of the office action, that the rest of the claims were deemed to be allowable upon entry of the amendment. The present amendment reincorporates the amendments of the January 13, 2003 amendment.

In view of the proposed amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
Muserlian, Lucas and Mercanti


Charles A. Muserlian, 19,683
Attorney for Applicants
Tel. # (212) 661-8000

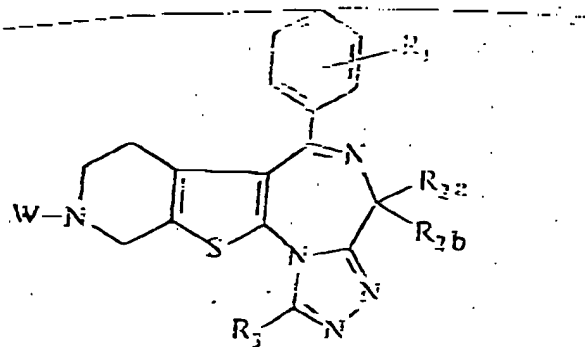
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MARKED UP VERSION OF CLAIMS SHOWING CHANGS MADE

Claim 9 (four times) A composition for treating acromegalia, hypophyseal adenomas and endocrinic [gastroenterpancreatic] gastroenteropancreatic tumors comprising an amount of a compound as defined in claim 10 sufficient to treat acromegalia, hypophyseal adenomas and endocrinic gastroenteropancreatic tumors and an inert pharmaceutical carrier.

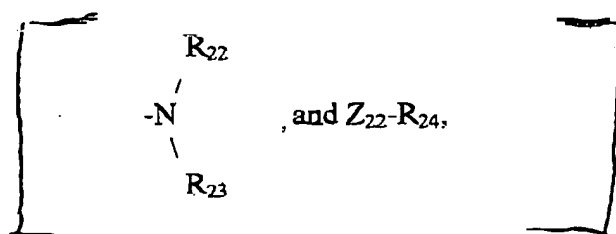
Claim 10 (thrice amended) A method for treating acromegalia, hypophyseal adenomas and endocrinic gastroenteropancreatic tumors in warm-blooded animals comprising administering to warm-blooded animals in need thereof an effective amount of a compound selected from the group consisting of a compound of the formula



I

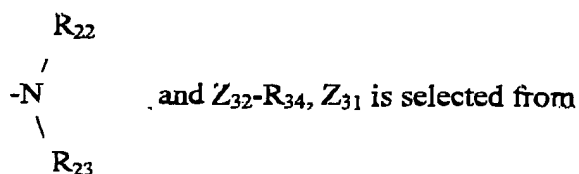
[wherein] wherein W is hydrogen or R-X-C(Y)-, R is unsubstituted or substituted aryl or heteroaryl with at least one substituent selected from the group consisting of lower alkyl, lower alkoxy, lower alkylthio, lower alkoxycarbonyl, lower alkylsulfonyl, halogen, -CF₃, -OCF₃, -OH, -NO₂, -CN, aryl, aryloxy, cycloalkyl and heterocycloalkyl, X is -(CH₂)_n-Z, Z is selected from the group consisting of a covalent bond, -NH-, -O- and -S-, n is 0, 1 or

2, Y is oxygen or sulfur, R₁ is selected from the group consisting of hydrogen, -OH, halogen, lower alkyl and lower alkoxy, the alkyl and alkoxy being unsubstituted or substituted with at least one member of the group consisting of -CF₃, lower alkoxy, -NH₂ and mono- and di-lower alkylamino, R_{2a} and R_{2b} are individually selected from the group consisting of hydrogen or methyl substituted or unsubstituted lower alkyl, substituted or unsubstituted lower alkenyl, substituted or unsubstituted lower alkynyl and -Z₂₁-R₂₁, the substituents being at least one member of the group consisting of halogen,



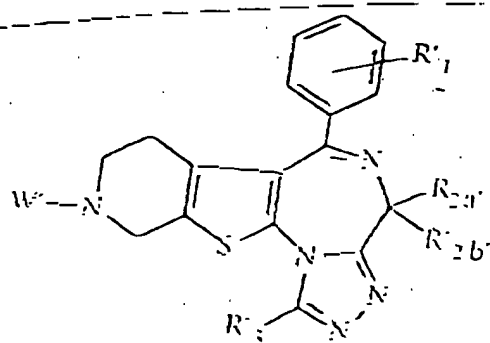
R₂₂ and R₂₃ are individually selected from the group consisting of hydrogen, lower alkyl, cycloalkyl, cycloalkylalkyl, aryl, aralkyl, heteroaryl, heteroarylalkyl, alkylsulfonyl, cycloalkylsulfonyl, arylsulfonyl, lower alkoxycarbonyl, aryloxy carbonyl, alkyl carbonyl, aryl carbonyl and cycalkyl carbonyl, Z₂₁ and Z₂₂ are individually selected from the group consisting of oxygen, sulfur, CO and O CO, R₂₄ is selected from the group consisting of hydrogen, lower alkyl, cycloalkyl, cycloalkylalkyl, aryl, aralkyl, heteroaryl, heteroarylalkyl, alkylsulfonyl, cycloalkylsulfonyl, and arylsulfonyl, R₂₁ is selected from the group consisting of hydrogen, lower alkyl, aryl and aralkyl, R₃ is selected from the group consisting of hydrogen, halogen, -NO₂, -CN, unsubstituted or substituted alkyl of 1 to 10 carbon atoms, unsubstituted or substituted lower alkenyl, unsubstituted or substituted alkynyl, unsubstituted or substituted cycloalkyl, unsubstituted or substituted cycloalkylalkyl, unsubstituted or substituted aryl, unsubstituted or substituted aralkyl, unsubstituted or substituted lower aryloxalkyl, unsubstituted or substituted heteroaryl,

unsubstituted or substituted heteroalkylalkyl and and $-Z_{31}R_{31}$, the substituents being selected from the group consisting of halogen, aryl



the group consisting of $-O-$, $-C(O)-$, $-OC(O)-$ and $S-$, R_{31} is selected from the group consisting of hydrogen, lower alkyl, aryl and lower aralkyl, R_{32} and R_{33} are individually selected from the group consisting of hydrogen, lower alkyl, aralkyl and alkylcarbonyl or together with the nitrogen form a heterocycloalkyl, Z_{32} is selected from the group consisting of oxygen, sulfur, $-C(O)-$, $-S(O)-$, $-O-CO-$ and $-SO_2$, R_{34} is selected from the group consisting of hydrogen, lower alkyl, aryl and lower aralkyl and its non-toxic pharmaceutically acceptable salts sufficient to treat said conditions.

Claim 11 (thrice amended) A compound of the formula



II

wherein W' is hydrogen or $-C(Y')-X'-R'$, R' is selected from the group consisting of phenyl, naphthyl, indolyl and pyridyl, all unsubstituted or substituted with at least one member of the group consisting of methyl, ethyl, propyl, isopropyl, butyl, tert-butyl,

methoxy, ethoxy, methylthio, ethylthio, methoxycarbonyl, ethoxycarbonyl, methylsulfonyl, ethylsulfonyl, chlorine, fluorine, bromine, trifluoromethyl, trifluoromethoxy, -OH, -NO₂-, -CN, phenyl, phenoxy and morpholino, X' is selected from the group consisting of -CH₂-, -CH₂-CH₂-, -CH₂NH-, -NH-, -O-, -S- and a covalent bond, Y' is oxygen or sulfur, R'₁ is at least one member of the group consisting of hydrogen, chlorine, methyl and methoxy, R_{2a}' and R_{2b}' are individually hydrogen or methyl, ethyl, propyl, butyl, pentyl, hexyl, heptyl, methoxyethyl, ethoxyethyl, dimethylaminoethyl, cyclohexylmethyl, phenyl, diphenyl, benzyl, unsubstituted or substituted with -OH or methoxy, phenethyl, naphthylmethyl and indolylmethyl excluding the compounds of Formula II wherein a W' is hydrogen, R'₁ is o-chlorine, R_{2a}' is hydrogen and R_{2b}' are is hydrogen or methyl and R'₃ is methyl and b) wherein W' is -C(Y')-X'-R' and i) X' is -NH-, Y' is oxygen, R'₁ is o-chlorine, R_{2a}' and R_{2b}' are hydrogen, R'₃ is methyl and R' is selected from the group consisting of 4-tert.butyl-phenyl, 4-trifluoromethyl-phenyl, 4-hydroxy-phenyl, 4-methoxy-phenyl, 3,4,5-trimethoxy-phenyl, 2,3-dichloro-phenyl, 2,4-difluoro-phenyl, 4-phenoxy-phenyl, pyridinyl and cyanophenyl or ii) X' is -NH-, Y' is sulfur, R'₁ is o-chloro, R_{2a}' and R_{2b}' are hydrogen, R'₃ is methyl and R' is selected from the group consisting of [4-hydroxy-phenyl,] 4-tert.butyl-phenyl, 2,4-ditert.butyl-phenyl, 2-trifluoromethyl-phenyl, 3-trifluoromethyl-phenyl, 4-trifluoromethyl-phenyl, 4-methoxy-phenyl, 3,4,5-trimethoxy-phenyl, 4-fluoro-phenyl and 4-methylsulfonyl-phenyl or iii) X' is -CH₂-NH-, Y is oxygen, R'₁ is o-chlorine, R_{2a}' and R_{2b}' are hydrogen, R'₃ is methyl and R' is phenyl, or iiiii) X' is oxygen, Y' is oxygen, R'₁ is o-chlorine, R_{2a}' and R_{2b}' are hydrogen, R'₃ is methyl and R' is pyridyl or cyanophenyl or iiiiii) X' is CH₂-CH₂-, Y is oxygen, R'₁ is o-

chlorine and $R_{2a'}$ and $R_{2b'}$ are hydrogen, R'_3 is methyl and R' is phenyl or 4-fluoro-phenyl, iiiiii) X' is $-CH_2-$, Y' is oxygen, R'_1 is o-chloro, $R_{2a'}$ and $R_{2b'}$ are hydrogen, R'_3 is methyl and R' is phenyl or iiiiii) X' is a covalent bond and Y' is oxygen, iiiiiii) X' is $-NH-$, Y' is sulfur, R'_2 is o-chlorine, $R_{2a'}$ and $R_{2b'}$ are hydrogen, R'_3 is methyl and R^1 is 4-hydroxy-phenyl.